



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

[खंड 21]

शिमला, शनिवार 31, मार्च, 1973/10 चैत्र, 1895

[संख्या 13]

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31 मार्च, 1973/10 चैत्र, 1895 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञियां 'असावारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईः—

विज्ञिय की संख्या	विभाग का नाम	विषय
No. 9-5/71-Rev. A, dated the 6th February, 1973.	Revenue Department	The Himachal Pradesh Holdings (Consolidation and Prevention of Fragmentation) Rules, 1973.
No. 3-21/71-DP (Apptt.), dated the 24th March, 1973.	Personnel (A) Department	Obituary notifying the death of Shri Subhash Dua, Joint Agricultural Production Commissioner-cum-Joint Secretary, Himachal Pradesh.
No. 7-5/73-DPC (Apptt.), dated the 15th March, 1973.	do-	Republishing two notifications and an order of the Government of India, Ministry of Home Affairs, New Delhi:— (1) No. 12011/52/72-F. III(II), dated 5-1-73. (2) No. 12011/52/72-F. III(I), dated 5-1-73. (3) No. 12011/52/72-F. III (II), dated 5-1-73.
No. 62-42/52-II-LSG., dated the 26th March, 1973.	Local Self Government Department	Bye Laws for the Registration and proper Control of all kinds classes of dogs within the limits of the Notified Area Committee, Arki.

**भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट
द्वारा अधिसूचनाएं इत्यादि**

हिमाचल प्रदेश हाई कोर्ट

NOTIFICATION

Simla-1, the 1st March, 1973

No. HHC/GAZ. 3(33)/71-1570.—In exercise of the powers conferred under sub-section (2) of section 12 of the Code of Criminal Procedure, 1898, as amended by the Punjab Separation of Judicial and Executive Functions Act, 1964 (Act No. 25 of 1964), the Hon'ble the Chief Justice and Judges have been pleased to confer upon Shri K. C. Sood, Sub-Judge, Theog, Simla district, the powers of Judicial Magistrate 1st Class to be exercised within the area of Simla district where Punjab Separation of Judicial and Executive Functions Act, 1964 (Act. No. 25 of 1964) is applicable, with immediate effect, till further orders, in addition to his own duties.

By orders,
S. P. THAPLYAL,
for Registrar.

हिमाचल प्रदेश सरकार
PERSONNEL DEPARTMENT (A)
NOTIFICATION

Simla-2, the 28th February, 1973

No. 3-5/71-DP-Appn.—The Governor, Himachal Pradesh is pleased to order that Shri Katuk Lama, IAS, (Himachal Pradesh), Divisional Commissioner, Himachal Pradesh, shall stand retired from Government Service on attaining the age of superannuation with effect from February 28, 1973 (after noon).

A. K. GOSWAMI,
Joint Secretary.

**EDUCATION DEPARTMENT
(TECHNICAL EDUCATION)**
NOTIFICATION

Simla-2, the 12th March, 1973

No. 15-37/71-Edu-II.—In continuation of this Department Notification No. 8-10/69-Edu-II, dated the 27th November, 1972, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh, Public Service Commission, is pleased to extend the period of *ad-hoc* appointment of Shri B. R. Pandey, Head of Mechanical Engineering Department, as Principal, Government Polytechnic, Hamirpur, from 21st February, 1973 to 28th February, 1973.

PRAKASH CHAND,
Secretary.

FOOD AND SUPPLIES DEPARTMENT
NOTIFICATION

Simla-2, the 23rd March, 1973

No. 7-11/69-Coop. (F&S) (II).—In exercise of the powers vested under proviso to clause 3 of the Himachal Pradesh Sugar Dealers Licensing Order, 1967, the Governor, Himachal Pradesh is pleased to exempt the Food Corporation of India, established under section 3 of the Food Corporation of India Act, 1964 (37 of 1964), from the operation of clause 3 of the said Order.

K. C. PANDEYA,
Secretary.

TRANSPORT DEPARTMENT

NOTIFICATION

Simla-2, the 28th March, 1973

No. 4-6/67-Tpt-II.—In exercise of the powers conferred by Sub-Section (2) of section 3 of the Himachal Pradesh Motor Vehicles Taxation Act, 1972 (Act No. 4 of 1973) and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to modify w.e.f. 1st April, 1973, the rates of tax specified in the "Schedule" to the said Act in the following manner namely:—

AMENDMENT

In the "Schedule" to the said Act for the existing items No. 1, 4(i) and 6 the following shall be substituted namely:—

"SCHEDULE"

<i>Description of Motor Vehicles</i>	<i>Annual rate of Tax</i>
	Rs.
1. Motor Cycles (including motor Scooters and cycles with attachment for propelling the same by mechanical power) not exceeding 400 Kilograms in weight unladen—	
(a) bicycles not exceeding 90 kilograms in weight unladen.	25.00
(b) bicycles exceeding 90 kilograms in weight unladen	50.00
(c) bicycles if used for drawing a trailer or side-car in addition to the tax payable therefor.	12.75
(d) Tricycles (excluding tempos)	47.50
4. (i) motor cabs with contract carriage permits plying for hire and used for the transport of passengers excluding the driver:	75.00
(ii) Tram Cars.	18.75
6. Motor vehicles other than those liable to tax under the foregoing provisions of this schedule, the registered unladen weight of which—	
(a) does not exceed one thousand kilograms,	100.00
(b) exceeds one thousand kilograms but does not exceed one thousand and five hundred kilograms,	125.00
(c) exceeds one thousand and five hundred kilograms but does not exceed two thousand kilograms,	175.00
(d) exceeds two thousand kilograms.	

The rate specified in (c) above plus one hundred and twenty five rupees for every one thousand kilograms or part thereof.

By order,
GANGESH MISRA,
Secretary.

**भाग 2—वैधानिक नियमों को छाड़ कर विभिन्न विभागों के अध्यक्षों और ज़िला मंजिस्ट्रेटों द्वारा अधिसूचना एवं
इस्तीफ़ा**

**HORTICULTURE DEPARTMENT
NOTIFICATION**

Simla-2, the 1st February, 1973

No. 2-50/71-Udyan. II.—In exercise of the powers vested in me vide rule 1.26 of Himachal Pradesh Financial Rules, 1971 (Vol. I), read with Finance Department Himachal Pradesh, notification No. 12-2/69. Fin. (R&E), dated 10th March, 1971, I hereby declare the following Block Development Officers as Head of Office and Drawing and Disbursing Officer and the Deputy Director Horticulture, Himachal Pradesh, Naubahar, Simla-2, as Controlling Officer, in respect of the scheme "31-Agriculture (Horticulture) (Plan) A-6(44) Applied Nutrition Programme, A—6(44) (4) (7)-Other Charges Contingencies:—

1.	Block Development Officer, Theog, District Simla, H.P.
2.	-do-
3.	-do-
4.	-do-
5.	-do-
6.	-do-
7.	-do-
8.	-do-
9.	-do-
10.	-do-
11.	-do-
12.	-do-
13.	-do-
14.	-do-
15.	-do-
16.	-do-
17.	-do-
18.	-do-
19.	-do-
20.	-do-
21.	-do-

Bhatiyat	-do-Chamba
Jagjitnagar	-do-Simla
Una	-do-Una
Ani	-do-Kulu
Kandaghát	-do-Solan
Bhawarna	-do-Kangra
Pachhad	-do-Sirmur
Ghumarwin	-do-Bilaspur
Paonta	-do-Sirmur
Rait	-do-Kangra
Rewalsar	-do-Mandi
Bilaspur	-do-Bilaspur
Sadar.	
Nahan	-do-Sirmur
Shillai	-do-Sirmur
Kulu	-do-Kulu
Mandi-Sadar	-do-Mandi
Sangrah	-do-Sirmur
Chauntra	-do-Mandi
Panchrukhi	-do-Kangra
Salooni	-do-Chamba

This notification will take effect from the date of issue.

**HARBANS SINGH,
Director.**

HIMACHAL PRADESH MARKETING BOARD

(MARKET COMMITTEE)

NOTIFICATION

Simla, the 14th March, 1973

No. HMB-8-5/72-K.M. 4101.—In exercise of the powers conferred by section 4(1) of the Himachal Pradesh Agricultural Produce Markets Act, 1969 (Act No. 9 of 1970) with reference to the Himachal Pradesh Marketing Board notification No. HMB 8-5/72-K.M., dated the 29th December, 1972 published on 13th January, 1973 in Himachal Rajpatra issued under section 3(19) of the Act, the Board hereby declares the areas (the revenue estates) specified in the Schedule to be the notified market areas of the Market Committee, Kandrori (District Kangra) for the purpose of the Act in respect of the Agricultural Produce as specified in clause (a) of section 2 of the Act.

For the purpose of section 4(3) of the Act, this notification shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

**SCHEDULE
MARKET COMMITTEE, KANDRORI**

Sl. No.	Name of village	H.B. No.	Tehsil	District
1	2	3	4	5
1.	Sheikhupura	128	Nurpur	Kangra
2.	Kandrori	130	"	"
3.	Ban Atarian	129	"	"
4.	Jindri	132	"	"
5.	Upprala Surajpur			
	Chikla Surajpur	125	"	"
6.	Mothli	123	"	"
7.	Damtal	121	"	"
8.	Balkhor Kalwara	133	"	"
9.	Khubar	136	"	"
10.	Churpur	144	"	"
11.	Kathgarh	149	"	"
12.	Mohal Tibbi	146	"	"
13.	Indora	142	"	"
14.	Sanaur	141	"	"
15.	Jangrara Tika of Raja, Khasa			
	Halser	-do-		
16.	Lodhdwan	115	"	"
17.	Cagwal	118	"	"
18.	Tapkaur	119	"	"
19.	Bagwal	117	"	"
20.	Bhadroya	120	"	"
21.	Milawan	151	"	"
22.	Khanpur	150	"	"
23.	Bari	131	"	"
24.	Chaknanglan	127	"	"
25.	Toki	124	"	"
26.	Manjra	124	"	"
27.	Chhani		Tikka of Surajpur	
28.	Sirat	122	"	"
29.	Dah	134	"	"
30.	Bhapoo	137	"	"
31.	Chanaur	143	"	"
32.	Kursan	147	"	"
33.	Ban Andorian	148	"	"
34.	Tanda	148	"	"
35.	Ghandran	140	"	"
36.	Rajakhasa	138	"	"
37.	Indpur	138	"	"
38.	Dhantoli	139	"	"
39.	Balir		Tikka of Lodiwan	
40.	Jatoli	-do-	"	"
41.	Barikhad	-do-	"	"
42.	Choohar	-do-	"	"
43.	Olebrrian	155	"	"
44.	Ghatota	154	"	"
45.	Tamota	153	"	"
46.	Dhamota	152	"	"
47.	Miani	156	"	"
48.	Bela Andorian	160	"	"
49.	Teoreh	158	"	"
50.	Bakrawan	162	"	"
51.	Pral	165	"	"
52.	Barota	164	"	"
53.	Mijli Band		Tikka of Surman	
54.	Uprihi Band	-do-	"	"
55.	That	-do-	"	"
56.	Malkana	-do-	"	"
57.	Ghajwan	-do-	"	"
58.				

1	2	3	4	5	1	2	3	4	5
59.	Pilakh	Tikka of Surmen	Nurpur	Kangra	74.	Malal	171	Nurpur	Kangra
60.	Bhadpur	174	"	"	75.	Pindahdian	170	"	"
61.	Badala	186	"	"	76.	Rajgir	188	"	"
62.	Rialli	179	"	"	77.	Sanjwan	189	"	"
63.	R. Jpalwan	182	"	"	78.	Haler	172	"	"
64.	Beli Thakran	178	"	"	79.	Deothi	185	"	"
65.	Dug	183	"	"	80.	Badukhar	184	"	"
66.	Basantpur	159	"	"	81.	Beli Lahdiarchan	177	"	"
67.	Manjwali	157	"	"	82.	Bela Jatan	176	"	"
68.	Bhumpal	Tikka of Basantpur	"	"	83.	Dhaulpur	181	"	"
69.	Thakardwara	163	"	"	84.	Bell Bhurian	173	"	"
70.	Gagwal	161	"	"					
71.	Plata	166	"	"					
72.	Surwan	167	"	"					
73.	Bhogarwan	169	"	"					

By order,
S. S. JOGI,
Chairman.

भाग ३—अधिनियम, विधेय और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम
तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेंशल कमिशनर तथा
कमिशनर आफ़ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

शून्य

भाग ४—स्थानीय स्वायत शासन: म्यूनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया
तथा पंचायत विभाग

शून्य

भाग ५—वैयाक्ति ग्राधसूचनाएँ और विज्ञापन

In the Court of Shri Surendra Prakash, M.A., LL.B., Senior Sub-Judge, Solan, exercising the powers of Sub-Judge 1st Class, Kandaghhat.

PROCLAMATION U/O 5, RULE 20 OF THE C.P.C.

PETITION NO. 12 OF 1972

Smt. Janki Devi wife of Shri Pankhi Ram, resident of village Shoro, Pargana Ajmergarh, Tehsil Kandaghhat, District, Solan Petitioner.

versus

Shri Pankhi Ram s/o Shri Gita Ram, resident of village Shoro, Pargana Ajmergarh, Tehsil Kandaghhat, District Solan Respondent.

PETITION UNDER SECTION 13 (vii) OF THE HINDU MARRIAGE ACT, 1955 FOR THE DISSOLUTION OF THE MARRIAGE OF THE PETITIONER WITH THE RESPONDENT BY DECREE OF DIVORCE

Shri Pankhi Ram s/o Shri Gita Ram, resident of village Shoro, Pargana Ajmergarh, Tehsil Kandaghhat, District Solan.

Whereas the above named Petitioner has filed a petition under section 13 (vii) of the Hindu Marriage Act, 1955 for the dissolution of the marriage of the Petitioner with the Respondent by a decree of divorce. In this behalf notice have been issued against you, the said Respondent but you are evading service of the summons or have concealed yourself. It has been proved to the satisfaction of this Court that the Respondent cannot be served through an ordinary way, hence this proclamation under order 5, rule 20, of the C.P.C. is hereby issued against you. And you are required to appear in this Court on 18-4-73 at 10 A.M. in person or through an authorised agent, pleader, at Kandaghhat, to defend the said application, failing which ex parte proceedings shall be taken against you.

Given under my hand and the seal of this Court this 16th day of March, 1973.

Seal

SURENDRA PRAKASH,
Sub-Judge 1st Class, Kandaghhat.

In the Court of Shri Surendra Prakash, M.A., LL.B., Senior Sub-Judge Solan, (Exercising the powers under the Indian Succession Act)

PROCLAMATION U/O 5, RULE 20, C.P.C.

PETITION NO. 5 OF 1973

Smt. Sharda Devi, widow of Shri Rama Krishna Bhardwaj, Room No. 5, Aroma Hotel, Simla-1 District Simla Petitioner.

Versus

The General public etc. Respondent.
To

The general Public.

Whereas in the above-mentioned application Smt. Sharda Devi has filed an application for the grant of the Succession Certificate, for the property left behind by Shri Rama Krishna Bhardwaj, deceased. Notice is hereby issued for the information of the general public, who is required to appear in this Court on 9-4-1973 at 10 A.M. in person or through pleader and to file objection, if any, with regards to the grant of Succession Certificate to Smt. Sharda Devi, the above applicant.

In default of appearance of any one on the date fixed the certificate will be granted ex parte in favour of Smt. Sharda Devi, the applicant.

Given under my hand and the seal of the Court, this 14th day of March, 1973.

Seal

SURENDRA PRAKASH,
Senior Sub-Judge, Solan.

LAW DEPARTMENT

Simd-2 August, 1972

NOTIFICATION

No. 11-34/72LR.—The following Acts recently passed by the Parliament which have already been published in the Gazette of India, Extraordinary Part II, Section 1, are hereby published in the Himachal Pradesh Government Rajapatra for the information of general public:—

1. The General Insurance (Emergency Provisions) Amendment Act, 1972 (Act No. 27 of 1972).
2. The National Service Act, 1972 (Act No. 28 of 1972).

Assented to on 9-6-1972.

THE GENERAL INSURANCE (EMERGENCY PROVISIONS) AMENDMENT ACT, 1972

(ACT NO. 27 OF 1972)

AN

ACT

to amend the General Insurance (Emergency Provisions) Act, 1971.

Be it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:—

1. Short title and commencement.—(1) This Act may be called the General Insurance (Emergency Provisions) Amendment Act, 1972.

(2) It shall be deemed to have come into force on the 13th day of May, 1971.

2. Insertion of new sections 4A and 4B in Act 17 of 1971.—In the General Insurance (Emergency Provisions) Act, 1971 (hereinafter referred to as the principal Act), after section 4, the following sections shall be inserted namely:

“4A. (1) Application of Act. I of 1956.—Notwithstanding anything contained in the Companies Act, 1956, or in the memorandum or articles of association of any insurer or in any other instrument, no resolution passed at any meeting of the Board of directors or of the members of an insurer shall be given effect to unless approved by the Central Government.

(2) Subject to the other provisions contained in this Act and subject to such exceptions, restrictions and limitations, if any, as the Central Government may, by notification in the Official Gazette specify in this behalf, the Companies Act, 1956 (I of 1956), and the Insurance Act shall continue to apply to every insurer in the same manner as they applied to him before the appointed day.

(3) Every notification made by the Central Government under sub-section (2) shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification, or both Houses agree that the notification should not have been made, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to

the validity of anything previously done under that notification.

4B. Custodian or other person to be in charge of the management of the undertaking of the insurer.—Subject to such direction and instructions as the Central Government may give under this Act, the Custodian, or, where no Custodian has been appointed in relation to the undertaking of any insurer, the person in charge, under section 3, of the management of the undertaking of the insurer, shall alone be entitled to exercise all the powers of management in connection with or incidental to, the carrying on or otherwise of the general insurance business of the insurer, whether such powers are derived from the Companies Act, 1956 (I of 1956), or from the memorandum or articles of association of the insurer or from any other source.”

3. Amendment of section 6.—In sub-section (2) of section 6 of the principal Act,—

(a) in sub-clause (i) of clause (A), for the words “dividend during at least one” the words “dividend for at least one” shall be substituted;

(b) in clause (B) for the words “net premium income of the undertaking of the insurer in India”, the words “net premium income of the undertaking of the insurer in so far as it relates to business effected in India” shall be substituted.

4. Saving.—The provisions of the General Insurance (Emergency Provisions) Act, 1971 (17 of 1971) as amended by this Act, shall effect notwithstanding any judgment, decree or order of any Court or Tribunal.

Assented to on 9-6-1972.

THE NATIONAL SERVICE ACT, 1972

(ACT NO. 28 OF 1972)

AN

ACT

to provide for the registration of qualified persons and for the rendering of national service by such persons and for matters connected therewith.

Be it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the National Services Act, 1972.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) “employer” means any person who employs any qualified person for doing any work in any establishment and includes any person entrusted with the supervision and control of qualified persons in such establishment;

(b) “establishment” means—

(i) any office; or

(ii) any place where any industry, trade, business or occupation is carried on and includes any technical institution or training centre;

(c) “national service” means any service which is likely to assist the defence of India and civil defence or the efficient conduct of military operations and includes such social service as the Central Government may, if it is of opinion that it is necessary for public purposes so to do, by notification

specify in this behalf;

- (d) "Notification" means a notification published in the Official Gazette;
- (e) "prescribed" means prescribed by rules made under this Act;
- (f) "qualified person" means a citizen of India who is ordinarily resident in India and who,—
 - (i) has obtained a recognised medical qualification within the meaning of the Indian Medical Council Act, 1956 (102 of 1956), or
 - (ii) has obtained, or has passed an examination which entitles him to obtain, a degree of a University or its equivalent qualification in any branch of engineering or technology or both.

Explanation:—For the purposes of this Act, a qualified person who is resident in India shall be deemed to be ordinarily residence there unless—

- (a) he is residing there only for the purposes of attending a course of education; or
- (b) the circumstances of his residence there are otherwise such as to show that he is residing there for a temporary purpose only; or
- (c) he, being a person who was born or domiciled in any country outside India, has been resident in India for less than two years.

CHAPTER II

LIABILITY OF PERSONS TO RENDER NATIONAL SERVICE

3. Liability of persons to be called up for national service.—(1) Every person who—

- (a) is a qualified person at the commencement of this Act, or
- (b) becomes a qualified person after such commencement, shall, if he has not attained the age of thirty years at such commencement, or, as the case may be, on the date on which he becomes a qualified person, be liable until he attains the age of thirty years, to be called up for national service for a period of not more than four years.

(2) The period of national service for which a qualified person shall be liable to be called up under this Act shall begin from the date on which he is required by an enlistment notice served under this Act to present himself to the authority specified therein and shall end on the day when his term of national service is completed in accordance with the provisions of this Act.

4. Voluntary service in lieu of national service.—(1) If a qualified person has been enlisted under any other law for the time being in force, for service in one of the Armed Forces of the Union for a period of not less than four years, he shall perform the service required of the members of that Force in lieu of the national service required under this Act.

(2) If a qualified person has rendered or is rendering service, other than service in one of the Armed Forces of the Union and such service is declared by the Central Government to be equivalent to national service, the period of such service shall be deemed to be service in lieu of the national service required under this Act and he shall (unless he has ceased to be liable under this Act to be called up for national service), be liable to be called up for national service for such term as will, together with the service completed by him, be equivalent to the term of service for which persons are liable to serve under this Act.

(3) If any qualified person has been enlisted as a member of

- (a) the Indian Reserve Forces, regulated under the Indian Reserve Forces Act, 1888 (4 of 1888);
- (b) the Territorial Army constituted under the Territorial Army Act, 1948 (56 of 1948);
- (c) the Air Force Reserve or the Auxiliary Air Force Reserve constituted under the Reserve and Auxiliary Air Forces Act, 1952 (62 of 1952);
- (d) the Indian Naval Reserve Forces raised and maintained under the Navy Act, 1957, (62 of 1957), or
- (e) any other Force of the foregoing nature, he shall not be called up, so long as he continues to be a member of that Force, to render national service under this Act:

Provided that he shall, after he has ceased to be a member of such Force, be liable to render national service (unless he has ceased to be liable under this Act to be called up for national service), for such term as will, together with the actual service rendered by him as a member of that Force, be equivalent to the term of service for which persons are liable to serve under this Act.

5. Liability to complete interrupted service.—If any qualified person serving in the Armed Forces of the Union ceases to serve therein before he has completed four years of such service, he shall, unless he has ceased to be liable under this Act to be called up for national service, be liable to be called up to serve for such term as will, together with the service completed by him, be equivalent to the term of service for which persons are liable to serve under this Act.

6. Power of Central Government to direct a person to render service with the Armed Forces of Union or other national service.—Subject to the provisions of section 3, the Central Government may, by order, require a qualified person to render service in the Armed Forces of the Union or such other national service, as it may specify in this behalf, for such period and at such place as may be specified in the order:

7. Discipline.—(1) Every qualified person enlisted under this Act for national service in the Armed Forces of the Union shall, subject to such conditions as may be prescribed, be bound to serve in any branch of the Armed Forces to which he is for the time being attached, and shall be subject to all laws, rules, regulations and orders in force for the time being in relation to such branch.

(2) Every qualified person enlisted for any national service, other than service in the Armed Forces of the Union shall, subject to such conditions as may be prescribed, be bound to serve in any position or post to which he is appointed for the time being, and shall be subject to all laws, rules, regulations and orders in force for the time being in relation to such position or post.

8. Power of Central Government to require any employer to release qualified persons.—The Central Government may, by order in writing, require any employer to release any qualified person for employment in national service within such time as may be specified in the order.

(2) Where an employer releases a qualified person for employment in national service, such employer shall not be liable to pay the salary, wages and other emoluments, if any, of the qualified person for the period during which national service is or has been rendered by the qualified person.

(3) No contract, subsisting between a qualified person and his employer on the date of release of the qualified person for employment in national service, shall be enforceable until such qualified person has been discharged from national service.

(4) In computing the period specified in any contract of service in relation to a qualified person who has been called upon to render national service, the period of national service actually rendered by such qualified person shall be excluded.

(5) If any employer fails without sufficient cause to comply with the order made under sub-section (1), he shall be liable to be punished with imprisonment for a term which may extend to three years and also with fine which may extend to one thousand rupees.

9. Transfer. The Central Government may, by regulations, make provisions for enabling or requiring a qualified person rendering national service in any branch of the Armed Forces of the Union to be transferred to any other branch of that Force or to any other branch of national service or vice versa.

10. Persons not to leave national service or be discharged therefrom unless permitted by Central Government. No qualified person rendering national service under this Act shall leave such service until he is discharged therefrom under section 17.

(2) No qualified person who has been served with a notice under sub-section (1) of section 13 or an enlistment notice under section 14 shall, if he is in any employment at the date of service of such notice, leave such employment or be discharged therefrom, except in accordance with the provisions of this Act:

Provided that nothing in this sub-section shall apply where the employment of a qualified person is terminated for the reason that the said person has been guilty of gross insubordination, habitual absence from work, or serious misconduct or has been convicted of an offence.

(3) If a qualified person who has been served with a notice under sub-section (1) of section 13 or an enlistment notice under section 14 leaves any employment in which he is engaged at the date of service of such notice, or is discharged therefrom otherwise than in accordance with the provisions of this Act, he or, as the case may be, the person by whom he is discharged, shall be punished with imprisonment for a term which may extend to five years and also with fine which may extend to two thousand rupees.

CHAPTER III:

REGISTRATION AND ENLISTMENT FOR NATIONAL SERVICE

11. Persons required to register. (1) Every qualified person shall, if he is liable, at the commencement of this Act, to be called up for national service, make an application, within thirty days from such commencement, to be registered under this Act.

(2) Every qualified person who becomes liable after the commencement of this Act, to be called up for national service, shall, within thirty days from the date on which he becomes so liable, make an application to be registered under this Act.

12. Registration. (1) The Central Government shall, by general order, direct qualified persons who are required to be registered under this Act—

(a) to furnish at such place and time, in such manner and to such authority or person as may be specified therein, such particulars about themselves as the order may require; and

(b) to make at such place, in such manner and to such authority or person as may be specified in the order, an application to be registered under this Act.

(2) The order made under sub-section (1) may make different provisions in relation to different classes of qualified persons subject to registration and may provide

for exempting from any requirement of the order of any class of qualified persons with respect to whom the Central Government is satisfied that particulars sufficient for the purposes of this Act can be ascertained otherwise than by virtue of those requirements.

(3) If any qualified person fails to comply with any requirement of the order made under sub-section (1), he shall be liable to be punished with imprisonment for a term which may extend to three years, or with fine which may extend to one thousand rupees or with both.

(4) The Central Government shall ensure—

(a) that upon an application duly made for registration under this Act, the name and address of the applicant together with the particulars of the matters with respect to which information was given by the applicant in pursuance of the order made under sub-section (1) are entered in a register kept for the purposes of this Act, to be known as the "National Service Register"; and

(b) that upon the applicant being registered, a certificate of registration is issued to the applicant in the prescribed form.

(5) The information contained in National Service Register shall not be used for any purpose of this Act. Provided that nothing in this sub-section shall preclude the Central Government from disclosing, for statistical purposes, any information contained in the National Service Register.

(6) The Central Government may cause registration to be made of, and a certificate of registration to be issued to, any qualified person of a class exempted from any of the requirements of sub-section (1) as if that person had duly applied to be registered under this Act.

(7) (a) If any qualified person subject to registration under this Act communicates to the Central Government in the prescribed manner, that he has a preference for the Army, Air Force, or Naval Service, that fact shall be recorded in the National Service Register.

(b) If a qualified person belonging to a class which is exempted from registration under this Act has a preference for the Army, Air Force, or Naval Service, he shall intimate such preference to the Central Government in such manner as that Government may specify and, on receipt of such intimation, the Central Government shall cause such preference to be recorded in the National Service Register.

(8) (a) If any change occurs in the name or address of any qualified person while such person remains registered under this Act, or if any such person acquires any additional academic or professional qualification or distinction, he shall forthwith communicate the change of his name or address, or, as the case may be, the acquisition by him of additional academic or professional qualification or distinction to the Central Government in the prescribed manner and at the same time return to the Central Government, for correction, any certificate of registration held by him and if he fails to communicate the change of his name or address, or, as the case may be, the acquisition by him of additional academic or professional qualification or distinction, he shall be liable to be punished with fine which may extend to five hundred rupees.

(b) Upon the receipt of a communication of the change of name or address of any qualified person registered under this Act or of acquisition by him of additional academic or professional qualification or distinction, the Central Government shall cause the necessary corrections to be made in the entries in the National Service Register and shall either cause the certificate to be corrected and returned to such person or cause a fresh certificate

to be issued to him.

(9) The Central Government may, by rules made under this Act, provide for the issue, in specified circumstances, of fresh certificates of registration in place of certificates which have been lost, destroyed or defaced.

13. Notice of likelihood of calling up for national service.—(1) The Central Government may from time to time cause to be served on any qualified person subject to registration under this Act, and, if he is engaged in an employment, also on his employer, a written notice in the prescribed form stating that such person is likely to be called upon, at any time within a period of twelve months next following, to render national service.

(2) Omission to serve any notice referred to in sub-section (1) on an employer or the service of such notice on a person who is not, at the time of service of such notice, the employer of the qualified person concerned, shall not invalidate the notice served under sub-section (1) on the qualified person and shall not affect the liability of the qualified person to be called up for national service.

(3) The Central Government may cause to be served, on any qualified person served with a notice referred to in sub-section (1), a written notice requiring that person to submit himself to an examination, by such authority, at such place and at such time, as may be specified in the notice, of his physical and mental fitness for being called up for national service.

(4) The Central Government may make regulations for the examination of the physical and mental fitness of persons subject to registration under this Act and such regulations may, in particular, enable the medical and other authority—

- (a) in a case where he is unable to complete the examination on one occasion, to direct the person examined to submit himself for a further examination on a specified time and place;
- (b) to direct the person examined to submit himself for examination by a specialist.

(5) The Central Government may by regulations determine the categories in which persons examined under this section are to be placed with reference to their physical and mental condition.

(6) If any qualified person fails to comply with the requirements of a notice served on him under sub-section (3) or any regulations made or directions given under sub-section (4), he shall be liable to be punished with imprisonment for a term which may extend to three years, or with fine which may extend to one thousand rupees, or with both.

(7) The court by which a qualified person is convicted of an offence under this section may, without prejudice to any penalty which may be imposed on him, order him to submit himself to an examination of his physical and mental fitness, further examination or examination by a specialist, as the case may be, at such place and at such time as may be fixed by the court and any such order may provide that such person shall be detained in custody until that time and shall be taken by a police officer to that place and at that time:

Provided that no person shall be detained in custody by virtue of any such order for more than twenty-four hours.

a court under sub-section (7) to submit himself to an examination of his physical and mental fitness and to be detained in custody, is taken by a police officer to the place and at the time at which he is to be examined, does not submit himself to an examination of his physical and mental fitness in accordance with the order, he may be arrested by that or any other police officer without a warrant.

(9) A qualified person, who fails to submit himself to an examination of his physical and mental fitness in accordance with an order made under sub-section (7), shall be liable to be punished with imprisonment for a term which may extend to three years, and also with fine which may extend to one thousand rupees.

(10) A notice served on any qualified person under this section shall cease to have effect if, before that date on which he is required to submit himself to an examination of his physical and mental fitness, he ceases to be subject to registration under this Act.

(11) The Central Government may pay to the medical or other authority, specialist or any qualified person undergoing examination of his physical and mental fitness under this section such travelling and other allowances, including compensation for loss of remunerative time, in accordance with such scales as may be prescribed.

14. Enlistment for national service.—(1) Subject to such priorities as may be prescribed, the Central Government may cause to be served on any qualified person for the time being liable under this Act to be called up for national service, who has been found, after an examination of his physical and mental condition, fit for such service, a written notice in the prescribed form (in this Act referred to as the "enlistment notice") stating that he is called up for national service in such one of the Armed Forces of the Union or in such other service as may be specified in the enlistment notice and requiring him to present himself at such place and at such time and to such authority, as may be specified in the notice:

Provided that an enlistment notice under this section shall not require the person upon whom it is served to present himself on a day earlier than the fourteenth day after the date of service of the notice or such earlier day as may be determined at his request.

(2) An enlistment notice served on any qualified person shall cease to have effect if, before the day on which he is thereby required to present himself, he ceases to be liable to be called up for national service under this Act.

(3) The Central Government may pay to persons required to present themselves in pursuance of an enlistment notice served upon them travelling and other allowances in accordance with such scales as may be prescribed.

(4) If on the day specified in the enlistment notice as the day on which the person to whom the notice relates is required to present himself for national service—

- (a) a postponement certificate relating to him is in force, or
- (b) any appeal or application by him for postponement of national service is pending,

the enlistment notice served on him shall be of no effect.

(5) The enlistment notice shall be served in such manner as may be prescribed.

15. Salary, wages, etc. and travelling allowances to be paid to persons enlisted for national service.—(1) Every qualified person who is called up for national service under this Act, or who is transferred from one form of national service to another, shall be paid such salary,

wages, allowances, pension, disability and death compensations and other benefits as may be prescribed:

Provided that such payments shall be on scales not less favourable than those admissible to persons of like qualifications, experience and length of service in similar positions under the Government.

Explanation. - For the purposes of the foregoing proviso, the length of standing of a qualified person as an engineer or medical practitioner, as the case may be, shall be construed as the length of his service.

(2) Any qualified person who is called up for national service or transferred from one form of national service, or from one place of employment in the national service, to another, shall be paid travelling allowance for journey to his place of employment under this Act at such rate as may be prescribed.

(3) A qualified person who, on the date of the service of the enlistment notice on him, is engaged in any employment, or a qualified person who is transferred from one form of national service, or from one place of employment in the national service, to another, shall be paid, for the period of his transit from the place of his former employment to the place of his employment under this Act, salary or wages (including allowances at the rate fixed by the Central Government under sub-section (1).

(4) A qualified person who was in any employment on the date on which he was called up for national service under this Act, shall, on his discharge from such service, be paid salary or wages (including allowances for the period of his transit from the place of his employment under this Act to the place of his former employment at the rate fixed by the Central Government under sub-section (1).

(5) A qualified person who is called up for national service under this Act shall, on the termination of his national service, be paid travelling expenses at such rate as may be prescribed, for journey to the place of his former employment, or, if he was unemployed when he was first called up for national service under this Act, to the place of his residence.

16. *Training.* - During his term of national service a qualified person may be required to undergo training for such period as may be prescribed.

17. *Discharge.* - (1) Every qualified person enlisted under this Act shall be entitled to receive his discharge from national service on the expiration of the period for which he was enlisted and such person may, prior to the expiration of that period, be discharged from national service by such authority and subject to such conditions as may be prescribed.

(2) A person receiving discharge under this section shall be given a certificate in such form as may be prescribed certifying that he has been discharged from national service.

(3) A person who has received discharge under this section shall not be required to render national service after such discharge:

Provided that a person who has received discharge under this section before he has completed four years of national service, shall, unless he has ceased to be liable to be called up for national service under this Act, be liable to be called up for national service under this Act for such term as will, together with the period of national service rendered by him, be equivalent to four years.

(Hardship) Committee consisting of a Chairman and two other members appointed by it.

(2) The Chairman of the National Service (Hardship) Committee shall be a person who is, or has been, or is qualified to be, a Judge of a High Court.

(3) The members of the National Service (Hardship) Committee shall hold office for a period of three years but shall be eligible for reappointment.

(4) The proceedings of the National Service (Hardship) Committee shall not be invalid by reason of any defect in the constitution of, or any vacancy in, such Committee.

(5) Any vacancy in the National Service (Hardship) Committee shall be filled by the Central Government in such manner as it may think fit.

(6) The central Government may constitute Regional National Service (Hardship) committees for such regions as it may think fit and on such constitution such Regional National Service (Hardship) Committees shall have all the powers, functions and privileges of the National Service (Hardship) Committee and shall be subject to the same provisions as are applicable to that Committee.

(7) The National Service (Hardship) Committee shall have power to regulate its own procedure with regard to any investigation under this Act and shall have for the purposes of such investigation the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908. (5 of 1908) in respects of the following matters, namely:-

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of documents producible as evidence;
- (c) receiving evidence on oath;
- (d) issuing commissions for the examination of witnesses or documents;
- (e) such other matters as may be prescribed.

19. *Application for postponement on grounds of hardship.* - (1) Any qualified person who is for the time being liable to be called up for national service under this Act and who has been served with a notice referred to in sub-section (1) of section 13, or any employer of such qualified person, may apply, in the prescribed manner to Central Government for a certificate of postponement of liability to be called up for national service on the ground that exceptional hardship would ensue if such qualified person were called up for national service, and may, on that ground apply, in the prescribed manner, for the renewal of the postponement certificate granted to him.

(2) Where an application for a postponement certificate or for the renewal thereof is made, the Central Government shall refer the application for decision to the National Service (Hardship) Committee.

(3) No application for the grant of a postponement certificate shall be referred by the Central Government to the National Service (Hardship) Committee unless such application is made within sixty days from the date of service of the notice referred to in sub-section (1) of section 13:

Provided that the Central Government may refer an application for the grant of a postponement certificate to the National Service (Hardship) Committee made after the expiry of the said period if it is satisfied having regard to the grounds on which the application is made, that the making thereof has not been unreasonably delayed.

(4) The Central Government may by regulations specify the principles to be applied and the circumstances to which regard is to be or not to be had for the hearing of an application for the grant or renewal of a postpone-

CHAPTER IV

POSTPONEMENT OF NATIONAL SERVICE

18. *National Service (Hardship) Committee.* - (1) The Central Government shall constitute a National Service

ment certificate and as to the period for which the postponement certificate may be granted or renewed.

(5) The National Service (Hardship) Committee may, after consideration of the application for a postponement certificate or renewal thereof, grant or reject the same.

(6) The period within which the postponement certificate is in force shall be added to the period during which the person to whom the certificate was granted is liable under this Act to be called up for national service and accordingly this Act shall in relation to that person have effect as if for reference therein to the age of thirty years, there were substituted, an age being the sum of thirty years and the period during which—

- (i) the postponement certificate is in force, and
- (ii) the enlistment notice was of no effect by reason of the provisions of clause (b) of sub-section (4) of section 14.

(7) If any qualified person or an employer makes an application for a postponement certificate on a ground which he knows to be false or does not believe to be true or on a ground which, in the opinion of the National Service (Hardship) Committee, is frivolous, he shall be liable to be punished with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees, or with both.

20. Appeal from decision of the National Service (Hardship) Committee.—(1) Subject to the provisions of sub-section (2), an appeal shall lie against the decision of the National Service (Hardship) Committee to the High Court exercising jurisdiction in relation to the territory in which the applicant for the postponement certificate voluntarily resides, carries on business or personally works for gain.

(2) No appeal referred to in sub-section (1) shall lie unless—

- (i) it is preferred within thirty days from the date of the decision of the National Service (Hardship) Committee, and
- (ii) the National Service (Hardship) Committee certifies that the case involves a substantial question of law.

(3) Where the National Service (Hardship) Committee has refused to give a certificate referred to in sub-section (2), the High Court may, if it is satisfied that the case involves a substantial question of law, grant, special leave to appeal against the decision of the National Service (Hardship) Committee.

(4) The High Court may, after hearing the appeal, confirm, modify or reverse the decision of the National Service (Hardship) Committee.

21. Revocation of postponement certificate.—(1) If, at any time, while a postponement certificate is in force, it appears to the Central Government that, by reason of any change in the circumstances of the qualified person to whom the certificate was granted or of his employer, where such certificate was granted on the application of such employer, the certificate ought to be revoked or the period for which it was granted or last renewed ought to be shortened, the Central Government may apply to the National Service (Hardship) Committee, and that Committee may either reject the application or cancel the certificate or vary it by shortening the period.

(2) Where an application is made under sub-section (1), the person to whom the postponement certificate in question was granted, and where such certificate was granted on the application of an employer, such employer, shall be entitled to be heard on the application and the provisions as to appeals contained in section 20 shall apply in relation to the application as if it were an application for the grant of a postponement certificate.

22. Suspension of right to postponement of liability to be called up for national service.—(1) The Central Government may, if it is satisfied at any time that by reason of the gravity of the situation it is necessary so to do, by order—

- (a) cancel, either generally or in relation to a specified class of qualified persons, all postponement certificates in force at the date of the order, and
- (b) abrogate, either generally or in relation to a specified class of qualified person, any right to apply for the grant of a postponement certificate and any right to appeal from the refusal to grant such a certificate, and may, by order, vary or revoke any order in force under this section, without prejudice however to the previous effect of that order.

(2) Where, on the day on which an order comes into force under this section abrogating any right to appeal from the refusal to grant a postponement certificate, an appeal preferred by a person to whom the order applies or the time for preferring such appeal by such person has not expired, the appeal shall be deemed to be dismissed or the time shall be deemed to expire on the expiry of that day.

CHAPTER V

REINSTATEMENT OF QUALIFIED PERSONS CALLED UP FOR NATIONAL SERVICE

23. Reinforcement.—(1) In this section,—

- (a) "former employee" means a qualified person who was released by an employer for employment in national service;
- (b) "former employer" means the employer by whom a former employee was employed in an establishment immediately before the enlistment of such employee for national service.
- (c) "former employment" means the employment in which the former employee was employed immediately before his enlistment for national service.

(2) (a) A former employee may, on the termination of his national service, make an application in such manner and within such period as may be prescribed to his former employer for reinstatement in his former employment.

(b) On receipt of an application referred to in clause (a), the former employer shall be under an obligation (unless the employment of the former employee in the national service was terminated by dismissal for misconduct) to reinstate such employee before the expiry of a period of fifteen days from the date of receipt of such application.

(3) (a) If, on receipt of an application referred to in sub-section (2), the former employer refuses to reinstate the applicant on the ground that the circumstances have so changed as to make it impossible or unreasonable for him to do so, or denies his liability to reinstate such former employee, or represents that the reinstatement by him of the former employee is impracticable, he shall before the expiry of a period of fifteen days from the date of receipt of such application, make an application to the National Service (Hardship) Committee for relieving him from the obligation referred to in sub-section (2).

(b) A former employee, who is not reinstated in his former employment within fifteen days from the date of delivery of the application made under sub-section (2), may, within a further period of fifteen days (computed from the date on which the first-mentioned period of fifteen days expired), represent to the National Service (Hardship) Committee that his former employer has not discharged the obligation imposed on him by sub-section (2).

(c) On receipt of the application referred to in clause (a) or the representation referred to in clause (b), the National Service (Hardship) Committee shall, after

considering all matters placed before it and after making such inquiry in the matter as it may think fit, make an order.

- (i) relieving the former employer from the obligation referred to in sub-section (2), or
- (ii) requiring the former employer to reinstate the former employee in his former employment, or
- (iii) requiring the former employer to pay to the former employee by way of compensation for failure or inability to reinstate him, a sum not exceeding an amount equal to six months' remuneration at the rate at which remuneration was last payable by the former employer to the former employee.

(d) Where the National Service (Hardship) Committee has directed the reinstatement of any person in his former employment, the former employer shall be under an obligation to pay to such person salary and allowances at the rates specified by the National Service (Hardship) Committee from the date of receipt of the application referred to in sub-section (2).

(4) (a) A former employer, who has refused to reinstate his former employee on any of the grounds specified in sub-section (3) and who has omitted or failed, without any reasonable excuse, to make an application to the National Service (Hardship) Committee within the time specified in sub-section (3), shall be punished, without any prejudice to the provisions of clause (b) of this sub-section with imprisonment for a term which may extend to one month, or with fine which may extend to five thousand rupees, or with both.

(b) If any former employer fails to obey any order made by the National Service (Hardship) Committee under sub-section (3), he shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to five thousand rupees, or with both, and the court by which such former employer is convicted under this sub-section shall order him to pay to the person whom he has failed to re-employ, a sum not exceeding an amount equal to six months' remuneration at the rate at which his last remuneration was payable to him by the former employer and amount so required to be paid shall be recoverable as if it were a fine imposed by such court.

(5) Where in pursuance of the provisions of sub-section (2) a former employer reinstates his former employee and thereafter terminates the employment of such former employee at any time within a period of six months from the date of such reinstatement, the former employer shall, notwithstanding anything to the contrary contained in the conditions of employment of the former employee, be liable to pay to the former employee, at the time of terminating his employment as aforesaid, a sum equal to the remuneration which the former employee would have earned under the terms and conditions of his re-employment for the unexpired portion of the said period of six months:

Provided that a former employer shall not be liable to make such payment as aforesaid where the employment of the former employee is terminated for the reason that the former employee has been guilty of gross insubordination, habitual absence from work or any serious misconduct or has been convicted of any offence:

Provided further that a former employee whose employment is terminated within the said period for any such reason as aforesaid may refer the matter to the National Service (Hardship) Committee and that Committee shall after due consideration, decide whether or not the employer is liable as aforesaid under this sub-section; and any such decision shall be final and binding on the parties.

Explanation. — Any sum required to be paid under this

sub-section shall be in addition to the amount, if any, which the employer may, under the conditions of employment be liable to pay in respect of the termination of the employment of the former employee without notice.

(6) No change in the name, constitution or character of the former employer shall affect the right of reinstatement of a former employee who has been released from employment in national service.

(7) (a) The occupation in which and the terms and conditions under which a qualified person may be reinstated after completion of national service shall not be less favourable to him than those which would have been applicable to him had his employment not been interrupted by reason of his being called up for national service.

(b) In determining the terms and conditions of reinstatement of the former employee, regard shall be had to the additional skill and experience acquired by such employee in the course of his employment in the national service.

24. Preservation of certain rights of qualified persons required to render national service.—While any qualified person, required to render national service under this Act, has any rights under any provident fund or other scheme for the benefit of employees maintained in connection with the employment he relinquishes, he shall continue, so long as he is engaged in national service and if he is reinstated, until such reinstatement under the provisions of this Act, to have in respect of such fund or scheme such rights as may be prescribed.

CHAPTER VI OTHER OFFENCES AND PENALTIES

25. False statement and forgery.—(1) If any qualified person—

(a) on whom an enlistment notice has been served under this Act and in respect of whom no postponement certificate is in force or no application or appeal for postponement of national service is pending, fails or omits to render the service which he is required by such notice to render, or

(b) having commenced to render national service, leaves that service without obtaining a discharge under section 17,

he shall be punished with imprisonment for a term which may extend to five years and also with fine which may extend to two thousand rupees.

(2) Any person who—

(a) in giving any information for the purposes of this Act, knowingly or recklessly makes a statement which is false in material particulars or which he does not believe to be true, or

(b) (i) with the intention of deceiving, forges or uses or lends or allows to be used for any person any certificate issued under this Act, or

(ii) makes, or has in his possession, any document so closely resembling any certificate so issued as to be calculated to deceive,

shall be punished with imprisonment for a term not exceeding three years, or with fine not exceeding one thousand rupees, or with both.

26. General provision as to offences.—Any qualified person who contravenes any provision of this Act for the contravention of which no penalty is separately specified in this Act, shall be punished with fine which may extend to five hundred rupees:

Provided that in any proceedings for an offence punishable under this section, it shall be a defence for the accused to prove that he was prevented from complying with the provisions of this Act by circumstances beyond

his control.

27. *Offences by companies.*—(1) Where any provision of this Act or of any order made thereunder is contravened by a company, every person who at the time the contravention was made was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any such offence has been committed and it is proved that the offence has been committed with the consent or connivance, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section—

- (a) "company" means any body corporate and includes a firm or other association of individuals; and
- (b) "director", in relation to a firm, means a partner in the firm.

CHAPTER VII MISCELLANEOUS.

28. *Information to be furnished by Universities, etc.*—It shall be the duty of every University or other persons having the management of any University, school or other educational institution, to give to the Central Government, at its request, such information in their possession, or reasonably available to them, about persons receiving, or who have received education in engineering, technology, medical sciences or surgery as the Central Government may, by notification, specify in this behalf.

29. *Information to be furnished by District Magistrate.*—It shall be the duty of every District Magistrate to give to the State Government such information in his possession about qualified persons within the local limits of his jurisdiction as may be prescribed, and it shall be the duty of every State Government to give to the Central Government all information in its possession about qualified persons in the State.

30. *Priority of debts.*—Notwithstanding anything contained in the Presidency Towns Insolvency Act, 1909 (3 of 1909), the provincial Insolvency Act, 1920 (5 of 1920), the Companies Act, 1956 (1 of 1956), or the Partnership Act, 1932 (9 of 1932) any compensation payable under this Act shall have priority over all other unsecured debts.

31. *Summary trial of offences.*—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898), every offence punishable under this Act shall be tried summarily.

32. *Jurisdiction to try offences.*—No court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try any offence punishable under this Act.

33. *Protection of action taken in good faith.*—(1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or

intended to be done in pursuance of this Act or any rules, regulations or orders made thereunder.

(2) No suit or other legal proceeding shall lie against the Central Government for any damage caused or likely to be caused for anything which is in good faith done or intended to be done in pursuance of this Act or any rules, regulations or orders made thereunder.

34. *Removal of difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may make such order, not inconsistent with the provisions of this Act as may appear to it to be necessary for the purpose of removing the difficulty:

Provided that no order shall be made under this sub-section after the expiry of a period of two years from the commencement of this Act.

(2) Every order made under sub-section (1) shall be laid before both Houses of Parliament as soon as may be after it is made and the provisions of section 38 shall apply to such order as if it were a rule made under this Act.

35. *Power to delegate.*—The Central Government may, by notification, direct that all or any of the powers which may be exercised by it under this Act shall, in such circumstances and under such conditions, if any, as may be specified in the notification, be exercised also by any State Government or any other authority owned or controlled by the Central Government.

36. *Power to make rules.*—(1) The Central Government may, by notification, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the principles governing the calling up of persons for national service;
- (b) the form and contents of the National Service Register;
- (c) the form in which the certificate of registration is to be issued;
- (d) the manner of notification of preference for any branch of the Armed Forces of the Union;
- (e) the manner of notification of change of name or address of, or acquisition of academic or professional qualification or distinctions by, a qualified person registered under this Act;
- (f) the circumstances under which fresh certificates of registration in place of certificates which have been lost, destroyed or defaced may be issued;
- (g) the form and contents of the notice for examination of physical and mental fitness;
- (h) the scale in accordance with which travelling and other allowances may be paid to medical or other authority or specialist or to any qualified person undergoing any examination of physical and mental fitness and the scale according to which compensation may be paid for loss of remunerative time;
- (i) the priorities in accordance with which qualified persons may be enlisted for national service;
- (j) the form and contents of the enlistment notice and the manner of service thereof;
- (k) the scales of salary, wages, allowances, pensions, disability and death compensations and other financial benefits admissible to those performing national service;
- (l) the scales of travelling allowances required to be paid under this Act;
- (m) the authority by which and conditions subject to which prior discharge from national service may be made;

- (n) the form of discharge certificate;
- (o) the manner of application for a certificate of postponement of liability to be called up for national service or for renewal thereof and the time within which such application for renewal should be made;
- (p) the conditions of reinstatement of persons released from employment in the national service and matters connected therewith;
- (q) further inquiry which may be made by the National Service (Hardship) Committee where reinstatement of qualified persons released from employment in the national service is refused or denied or where such reinstatement is represented to be impracticable;
- (r) the preservation of rights of provident fund, etc., of qualified persons rendering national service;
- (s) the information relating to qualified persons which every District Magistrate shall furnish to the State Government;
- (t) any other matter which is required to be, or may be, prescribed under this Act.

(3) Any rule made under this Act may provide that a contravention of the rule shall be punished with imprisonment for a term not exceeding six months, or with fine not exceeding one thousand rupees, or with both.

37. Power to make regulations.—The Central Government may make regulations not inconsistent with this Act, to provide for all or any of the following matters, namely:—

- (a) enabling or requiring a qualified person to be transferred to any branch of the Armed Forces
- of the Union or to any other branch of national service;
- (b) examination of physical and mental fitness of qualified persons subject to registration under this Act;
- (c) determination of the categories in which qualified persons whose physical and mental fitness has been examined shall be placed by reference to their physical or mental conditions or both;
- (d) specification of the principles to be applied and the circumstances to be considered while hearing an application for the grant or renewal of a postponement certificate;
- (e) specification of the period for which a postponement certificate may be granted or renewed;
- (f) any other matter for which regulations are required to be, or may be made under this Act.

38. Rules and regulations to be laid before Parliament.—Every rule and every regulation made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification to the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

Daily Rainfall recorded at 72 Raingauge Stations in Himachal Pradesh for the month of May, 1969.

DAILY RAINFALL RECORDED IN HIMACHAL

PRADESH FOR THE MONTH OF MAY, 1969

20th	21st	22nd	23rd	24th	25th	26th	27th	28th	29th	30th	31st	Number of rainy days	Normal No. of rainy days	Total rainfall for the month	Average rainfall for the month	Heaviest rainfall during the month	Total rainfall from 1-5-69 to 31-5-69	Normal rainfall from 1-5-69 to 31-5-69		
												33	34	35	36	37	38			
2.2	—	—	—	—	—	—	—	—	—	—	—	7.8	5	2.0	65.2	16.4	27.4	65.2	—	
2.7	—	—	—	—	—	—	—	—	—	—	—	40.0	5	—	86.2	—	40.0	86.2	—	
—	—	—	—	—	—	—	—	—	—	—	—	7.2	6	—	71.6	—	26.8	71.6	—	
—	—	—	—	—	—	—	—	—	—	—	—	20.0	4	2.6	116.0	21.5	50.0	116.0	—	
—	—	—	—	—	—	—	—	—	—	—	—	Distt. Total	20	—	339.0	—	—	339.0	—	
—	—	—	—	—	—	—	—	—	—	—	—	Distt. Average	5	2.3	84.7	18.9	—	84.7	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	7	4.3	116.0	54.3	34.2	116.0	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	3.4	—	47.3	—	—	—	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	5	5.6	34.5	63.8	8.0	34.5	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	6	7.9	152.4	109.9	41.0	152.4	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	7	3.2	125.9	35.8	45.2	125.9	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	4	2.8	23.0	41.3	9.5	23.0	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	7	4.5	184.8	65.9	54.2	184.8	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	4	4.8	140.7	64.7	50.0	140.7	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	5	6.2	117.8	74.3	33.1	117.8	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	8	4.2	138.3	47.9	48.8	138.3	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	12	—	68.6	—	10.2	68.6	—	
—	—	—	—	—	—	—	—	—	—	—	—	Distt. Total	65	—	1102.0	—	—	1102.0	—	
—	—	—	—	—	—	—	—	—	—	—	—	Distt. Average	6	4.9	100.2	60.5	—	100.2	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	3	N.A.	—	N.A.	—	—	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	3	N.A.	25.5	N.A.	17.5	25.5	343.5	
—	—	—	—	—	—	—	—	—	—	—	—	—	3	N.A.	53.0	N.A.	36.0	53.0	178.9	
—	—	—	—	—	—	—	—	—	—	—	—	—	4	N.A.	28.8	N.A.	11.0	28.8	222.0	
—	—	—	—	—	—	—	—	—	—	—	—	—	6	N.A.	74.5	N.A.	29.0	74.5	396.9	
—	—	—	—	—	—	—	—	—	—	—	—	—	1	N.A.	27.0	N.A.	25.0	27.0	254.8	
—	—	—	—	—	—	—	—	—	—	—	—	—	3	N.A.	30.5	N.A.	9.0	30.5	—	
—	—	—	—	—	—	—	—	—	—	—	—	Distt. Total	20	N.A.	239.3	N.A.	—	239.3	—	
—	—	—	—	—	—	—	—	—	—	—	—	Distt. Average	3	N.A.	34.2	N.A.	—	34.2	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	5	N.A.	77.8	N.A.	29.0	77.8	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	9	N.A.	145.9	—	33.1	145.9	—	
—	—	—	—	—	—	—	—	—	—	—	—	Distt. Total	14	N.A.	223.7	N.A.	—	223.7	—	
—	—	—	—	—	—	—	—	—	—	—	—	Distt. Average	7	N.A.	111.8	N.A.	—	111.8	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	9	4.8	123.4	53.9	32.0	123.4	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	8	5.2	84.0	73.4	18.0	84.0	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	8	4.9	122.8	63.1	52.8	122.8	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	9	6.0	132.0	59.4	28.2	132.0	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	6	5.9	66.5	81.7	28.5	66.5	—	
—	—	—	—	—	—	—	—	—	—	—	—	Distt. Total	40	—	528.7	—	—	528.7	—	
—	—	—	—	—	—	—	—	—	—	—	—	Distt. Average	8	5.4	105.7	66.3	—	105.7	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	6	N.A.	107.2	N.A.	25.0	107.2	N.A.	
—	—	—	—	—	—	—	—	—	—	—	—	—	3	N.A.	53.6	N.A.	—	53.6	—	
—	—	—	—	—	—	—	—	—	—	—	—	Distt. Total	6	N.A.	107.2	N.A.	—	107.2	—	
—	—	—	—	—	—	—	—	—	—	—	—	Distt. Average	3	N.A.	53.6	N.A.	—	53.6	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	8	3.7	87.6	42.5	26.7	87.6	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	6	4.2	63.2	55.1	21.1	63.2	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	10	4.3	101.2	53.0	14.0	101.2	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	2.5	9	4.8	88.9	48.2	13.0	88.9	—
—	—	—	—	—	—	—	—	—	—	—	—	—	8	4.5	86.0	62.3	28.0	86.0	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	3	3.3	28.0	44.5	13.5	28.0	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	5	4.0	70.0	36.0	24.2	70.0	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	6	3.0	82.4	29.4	27.2	82.4	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	5	2.3	50.2	37.3	32.0	50.2	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	8	2.2	52.6	33.1	12.8	52.6	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	7	5.8	59.0	51.9	12.0	59.8	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	9	5.1	58.0	90.8	21.0	58.0	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	6	6.2	95.1	88.5	19.0	95.1	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	10	8.3	98.0	69.0	18.0	98.0	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	9	3.6	88.1	44.7	17.0	88.1	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	7	5.7	63.2	—	—	—	—	
—	—	—	—	—	—	—	—	—	—	—	—	—	11.0	7	—	96.3	—	25.0	96.3	—
—	—	—	—	—	—	—	—	—	—	—	—	Distt. Total	137	—	1444.2	—	—	1444.2	—	
—	—	—	—	—	—	—	—	—	—	—	—	Distt. Average	7	4.5	76.0	55.3	—	76.0	—	

DAILY RAINFALL RECORDED IN HIMACHAL

District and Station	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	17th	18th	19th	20th
Mandi:	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
S.d	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jogindernagar	2.0	1.0	—	—	—	—	—	—	2.0	—	17.0	—	2.0	—	3.0	10.0	—	8.0	—	10.0
Sarkaghat	—	—	—	—	15.0	—	—	—	—	—	—	—	—	—	—	—	45.0	—	14.0	—
Chachhot	—	—	—	—	—	—	—	—	—	—	19.0	—	22.0	3.0	—	—	—	—	—	—
Sundernagar	—	—	—	—	25.0	—	—	—	—	—	11.0	6.0	9.0	—	—	—	—	—	—	3.0
Karsog	—	—	—	—	7.0	—	—	—	—	—	2.0	8.0	6.0	—	—	—	—	9.0	7.0	8.0
Bhangrotu	—	—	—	—	—	—	—	—	1.0	—	—	—	—	—	—	—	—	—	2.0	7.0
Jhungi	—	—	—	—	—	—	—	—	—	—	38.0	36.0	32.0	—	28.0	—	—	—	—	35.0
Janjehli	—	—	—	—	5.0	—	—	—	—	—	15.0	14.0	16.0	20.0	—	—	—	—	—	10.0
Panjain	—	—	—	—	20.0	—	—	—	—	—	29.0	—	13.0	12.0	25.0	—	—	—	—	15.0
Kataula	—	—	—	—	—	—	—	—	—	—	—	—	6.0	—	—	—	—	—	—	—
Mandi Obs.	—	N.R.																		
Sirmaur:	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sirmaur	—	N.A.	15.2	N.A.	N.A.	N.A.	N.A.													
Nahan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	10.2	—	1.8	—
Puonta	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	44.7	1.5	—	—
Renuka	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	12.7	—	—	—
Pachhad	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bagthan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Dhulea-Kuan	—	1.5	—	—	—	—	—	—	—	—	3.6	2.0	—	14.0	7.8	5.0	1.4	—	—	3.0
																	36.0	4.5	—	2.0

PRADESH FOR THE MONTH OF MAY, 1969

20th	21st	22nd	23rd	24th	25th	26th	27th	28th	29th	30th	31st	Number of rainy days	Normal No. of rainy days	Total rainfall for the month	Average rainfall for the month	Heaviest rainfall during the month	Total rainfall from 1-5-69 to 31-5-69	Normal rainfall from 1-5-69 to 31-5-69.	
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	
10.0	—	—	—	—	—	—	—	—	—	5.0	5	3.1	48.0	37.9	10.0	48.0	—	—	
10.0	—	—	—	—	—	—	—	—	—	2.0	6	3.5	104.0	50.7	26.0	104.0	—	—	
—	—	—	—	—	—	—	—	—	—	76.0	2	2.4	136.0	49.0	45.0	136.0	—	—	
4.0	—	—	—	—	—	—	—	—	—	—	—	3.3	—	50.5	—	—	—	—	
4.0	—	—	—	—	—	—	—	—	—	27.0	7	3.4	103.0	42.5	27.0	103.0	—	—	
—	—	—	—	—	—	—	—	—	—	4.0	10	3.8	72.0	51.2	11.0	72.0	—	—	
—	—	—	—	—	—	—	—	—	—	48.0	4	2.7	74.0	26.8	48.0	74.0	—	—	
25.0	—	—	—	—	—	—	—	—	—	28.0	7	3.9	222.0	43.6	38.0	222.0	—	—	
15.0	—	—	—	—	—	—	—	—	—	—	10	7.2	154.0	95.7	25.0	154.0	—	—	
N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	8.0	10	6.0	129.0	65.2	29.0	129.0	—	—	
N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	10	3.8	100.0	45.7	28.0	100.0	—	—	
N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	3.7	N.R.	45.7	N.R.	N.R.	N.R.	N.R.	N.R.	
Distt. Total Distt. Average												68	—	1142.0	—	1142.0	—	—	
N.R.	N.A.	6	3.9	95.2	50.4	—	95.2	—											
0.3	—	—	—	—	—	—	—	—	—	14.5	4	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	
6.6	—	—	—	—	—	—	—	—	—	—	3	N.A.	54.2	55.3	44.7	54.2	55.3	50.8	
—	—	—	—	—	—	—	—	—	—	—	2	N.A.	50.8	38.1	—	—	—	—	
Distt. Total Distt. Average												9	N.A.	160.3	N.A.	—	160.3	—	—
—	—	—	—	—	—	—	—	—	—	—	—	N.A.	40.1	N.A.	—	40.1	—	—	
—	—	—	—	—	—	—	—	—	—	11.4	1	1.7	13.4	23.1	7.0	13.4	—	—	
2.4	—	—	—	—	—	—	—	—	—	4.0	2	2.3	79.7	31.8	68.3	79.7	—	—	
2.4	—	—	—	—	—	—	—	—	—	—	3.0	—	2.5	—	29.5	14.0	—	—	
—	—	—	—	—	—	—	—	—	—	—	—	3.2	7	2.6	47.2	27.5	47.2	—	
Distt. Total Distt. Average												3	1.3	69.6	13.9	56.0	69.6	—	—
—	—	—	—	—	—	—	—	—	—	—	—	13	2	209.9	—	209.9	—	—	
—	—	—	—	—	—	—	—	—	—	—	—	2	2.8	35.0	52.2	—	35.0	—	—

उप-नियन्त्रक, मुद्रण तथा सेवन सामग्री, हिमाचल प्रदेश, शिमला-३ द्वारा मुद्रित तथा प्रकाशित ।